

Proceedings recorded by OFFICIAL COURT REPORTER, qualified pursuant to 28 U.S.C. 753(a) & Guide to Judiciary Policies and Procedures, Vol. VI, Chapter III, D.2. Transcript produced by computerized stenotype.

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A P P E A R A N C E S  
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P R O C E E D I N G S  
\* \* \* \* \*

THE COURT: Good morning, everyone. All right. We are here in Case Number 2:10-cr-237, United States vs. van der Sloot.

Beginning with defense counsel, would everyone please state their appearances and introduce those with you at counsel table.

MR. BUTLER: Yes, Your Honor. Kevin Butler on behalf of Mr. van der Sloot, who is present, sitting with me at counsel table is James Gibson, as well as Alexandra Darby. Behind me is my legal team.

THE COURT: Thank you.

MR. PEEPLES: Lloyd Peeples on behalf of the United States. With me here at counsel table is United States Attorney Prim Escalona, Catherine Crosby, AUSA and then the members of the Holloway family. Behind us is our legal team and members of the FBI.

THE COURT: Great. Good morning. Thank you. Mr. van der Sloot is in court with his attorneys because I have been advised that he desires to withdraw his earlier plea of not guilty and wishes to enter a plea of guilty.

MR. BUTLER: That's correct, Your Honor.

THE COURT: Mr. van der Sloot, you are allowed to do that. But before I can take a guilty plea from you, there are

1 certain questions that I have to ask you, and this requires  
2 that you be placed under an oath. While you are under the  
3 oath, it is really important that your answers are full and  
4 complete and accurate, because if they're not, the government  
5 may prosecute you for perjury. Do you understand?

6 DEFENDANT VAN DER SLOOT: Yes, ma'am.

7 JORAN VAN DER SLOOT SWORN

8 THE COURT: All right. Mr. Butler, would you please  
9 accompany your client to the lectern for this portion of the  
10 proceedings.

11 MR. BUTLER: I will, Your Honor.

12 THE COURT: All right. Mr. van der Sloot, if  
13 anything happens here today that you don't understand, I want  
14 you to put your hand up, stop me, get my attention, either  
15 I'll clear it up for you, or I'll give you a minute to speak  
16 privately with your attorney so that he can clear it up for  
17 you. Do you understand?

18 DEFENDANT VAN DER SLOOT: Yes, ma'am.

19 THE COURT: Okay. I'll first ask you a series of  
20 questions that we ask every defendant who pleads guilty.

21 Will you state your full name for the record.

22 DEFENDANT VAN DER SLOOT: Joran Andreas Petrus van  
23 der Sloot.

24 THE COURT: And your birth date.

25 DEFENDANT VAN DER SLOOT: The 6th of August, 1987.

1           THE COURT: And how far did you go in school,  
2 Mr. van der Sloot?

3           DEFENDANT VAN DER SLOOT: I finished high school.

4           THE COURT: Can you read, write, and understand  
5 English?

6           DEFENDANT VAN DER SLOOT: Yes, ma'am.

7           THE COURT: Did you read, complete and sign the  
8 guilty plea advice of rights certification?

9           DEFENDANT VAN DER SLOOT: Yes, ma'am.

10          THE COURT: Mr. Butler, would you please file the  
11 certification.

12          MR. BUTLER: Yes, Your Honor. (Indicating).

13          THE CLERK: (Indicating).

14          MR. BUTLER: Filed.

15          THE COURT: All right. Mr. van der Sloot, during  
16 the past forty-eight hours, have you taken any drugs,  
17 prescription or otherwise, or consumed any substance that  
18 might affect your ability to understand these proceedings?

19          DEFENDANT VAN DER SLOOT: No, ma'am.

20          THE COURT: All right. And are you suffering from  
21 any mental or emotional impairment or physical illness that  
22 might affect your ability to understand these proceedings?

23          DEFENDANT VAN DER SLOOT: No, ma'am.

24          THE COURT: Have you received a copy of the  
25 indictment pending against you?

1           DEFENDANT VAN DER SLOOT: Yes, ma'am.

2           THE COURT: All right. Mr. Butler, have you and  
3 your colleagues had adequate time to investigate the charges  
4 against Mr. van der Sloot and to consult with him?

5           MR. BUTLER: I have, Your Honor.

6           THE COURT: Mr. van der Sloot, have you had adequate  
7 time to consult with your attorneys?

8           DEFENDANT VAN DER SLOOT: Yes, ma'am.

9           THE COURT: I know that you did not choose these  
10 attorneys, they were appointed for you by the Court. Are you  
11 fully satisfied with the representation and the advice that  
12 you have received from them?

13          DEFENDANT VAN DER SLOOT: Yes, fully, ma'am.

14          THE COURT: Mr. van der Sloot, I want to go over  
15 with you certain substantive rights that you have that I need  
16 to be sure that you understand.

17                You are presumed to be not guilty of the charges  
18 that are pending against you. That presumption, standing  
19 alone, is sufficient to assure that you will not be convicted  
20 unless you either plead guilty or you're found guilty after a  
21 trial.

22                You have the right to stand on your earlier plea of  
23 not guilty. And if you do that, you will be entitled to a  
24 trial before a duly selected jury.

25                At any trial that would occur in your case, you

1 would not be convicted unless the United States first proves  
2 beyond a reasonable doubt all of the elements of the charges  
3 against you. And we'll talk about those elements in just a  
4 minute.

5           Throughout all proceedings -- before, during and  
6 after trial -- you have the right to be represented by an  
7 attorney who must be constitutionally adequate. You're  
8 entitled to confront and cross-examine witnesses for the  
9 United States; you're entitled to call witnesses of your own;  
10 and to use the subpoena power of the Court to compel witnesses  
11 to testify on your behalf. You're entitled to testify if you  
12 choose to do so, but if you may not be forced to testify  
13 against yourself.

14           If you plead guilty, you will give up some of the  
15 rights that I just listed. Specifically, you will give up the  
16 presumption that you're not guilty; the right to a trial by  
17 jury; the right to proof beyond a reasonable doubt; the right  
18 to confront and cross-examine witnesses for the government,  
19 and to call witnesses of your own; and you will give up the  
20 right to refuse to testify. If you plead guilty, you do not  
21 give up the right to have an attorney represent you.

22           Because you are not a United States citizen,  
23 pleading guilty today means that you may be immediately and  
24 automatically removed from the United States, that you may be  
25 denied admission here in the future, and that you may be

1 forever denied United States citizenship.

2 Do you understand your rights?

3 DEFENDANT VAN DER SLOOT: Yes, ma'am.

4 THE COURT: Do you understand what rights you're  
5 giving up if you plead guilty?

6 DEFENDANT VAN DER SLOOT: I do.

7 THE COURT: Before you can be found guilty of the  
8 charge of interference with commerce by extortion, as charged  
9 in Count One, the government must prove beyond a reasonable  
10 doubt every element of that charge. Those elements are:

11 One, that you caused Elizabeth Holloway to part with  
12 property;

13 Two, that you did so knowingly by extortion;

14 Three, that the extortionate transaction delayed,  
15 interrupted or affected interstate commerce.

16 The range of punishment for this offense is as  
17 follows:

18 One, custody for a period of not more than twenty  
19 years;

20 Two, a fine of not more than two hundred and fifty  
21 thousand dollars;

22 Three, both one and two, so custody and the fine;

23 Four, supervised release for a term of not more than  
24 three years;

25 Five, a special assessment fee of one hundred



1 dollars.

2 Before you can be found guilty of wire fraud, as  
3 charged in Count Two, the government must prove beyond a  
4 reasonable doubt every element of that charge. Those elements  
5 are:

6 One, that you knowingly devised or participated in a  
7 scheme to defraud Beth Holloway by using false or fraudulent  
8 pretenses, representations or promises;

9 Two, that the false pretenses, representations, or  
10 promises were about a material fact;

11 Three, that you acted with the intent to defraud;  
12 and

13 Four, that you transmitted or caused to be  
14 transmitted some communication in interstate commerce to help  
15 carry out your scheme to defraud.

16 The range of punishment for this charge is as  
17 follows:

18 One, custody for a period of not more than twenty  
19 years;

20 Two, a fine of not more than two hundred and fifty  
21 thousand dollars;

22 Three, both one and two, so custody and the fine;

23 Four, supervised release for a term of not more than  
24 three years; and

25 Five, a special assessment fee of one hundred

1 dollars.

2 The indictment includes a notice of forfeiture. So,  
3 if you plead guilty, you will be required to forfeit to the  
4 government any property, real property or personal property,  
5 which constitutes or is derived from proceeds that are  
6 traceable to the offenses alleged in the indictment.

7 You also will be required to make restitution to the  
8 victim of the offenses to which you plead guilty.

9 Mr. Peeples, do you agree that the Court has  
10 accurately informed Mr. van der Sloot of the possible range of  
11 punishment for the charges in this case?

12 MR. PEEPLES: Yes, Your Honor, we do.

13 THE COURT: Mr. Butler, do you so agree?

14 MR. BUTLER: I do.

15 THE COURT: Mr. van der Sloot, do you understand the  
16 charges against you?

17 DEFENDANT VAN DER SLOOT: Yes, ma'am.

18 THE COURT: And do you understand the possible range  
19 of punishment?

20 DEFENDANT VAN DER SLOOT: I do, ma'am.

21 THE COURT: Okay. I understand that Mr. van der  
22 Sloot and the United States have reached a plea agreement.

23 MR. BUTLER: We have, Your Honor.

24 THE COURT: All right. Mr. Peeples, is the United  
25 States prepared to file the plea agreement with the Court?

1 MR. PEEPLES: Yes, Your Honor, we are.

2 THE COURT: All right. Please file it.

3 MR. PEEPLES: (Indicating).

4 THE CLERK: (Indicating).

5 THE COURT: Thank you. All right. This plea  
6 agreement is signed by Mr. van der Sloot, by Mr. Butler and  
7 Mr. Gibson, as his attorneys, and by Mr. Peeples and  
8 Ms. Crosby on behalf of the United States.

9 Mr. Peeples, although you filed this plea agreement  
10 for the first time today, do you acknowledge that you  
11 previously shared it with the Court so that I could study and  
12 evaluate its terms?

13 MR. PEEPLES: That's correct, Your Honor.

14 THE COURT: Mr. Butler, do you acknowledge the same?

15 MR. BUTLER: Yes, Your Honor.

16 THE COURT: Mr. Peeples, does this written document  
17 contain all the terms of any bargain or agreement on which  
18 Mr. van der Sloot might be relying today?

19 MR. PEEPLES: It does, Your Honor.

20 THE COURT: Mr. Butler, do you and Mr. van der Sloot  
21 have a copy of the plea agreement in front of you?

22 MR. BUTLER: We do, Your Honor.

23 THE COURT: Did you have a sufficient opportunity to  
24 discuss it with Mr. van der Sloot before he signed it?

25 MR. BUTLER: I did, Your Honor.

1           THE COURT: Does the written plea agreement set  
2           forth everything he may be relying on today in terms of a  
3           bargain or a deal with the government?

4           MR. BUTLER: It does, Your Honor.

5           THE COURT: Were all formal offers by the government  
6           conveyed to him?

7           MR. BUTLER: Yes, Your Honor.

8           THE COURT: Did he have any questions for you about  
9           the agreement that you did not feel you were able to answer to  
10          his satisfaction?

11          MR. BUTLER: I was able to answer all questions to  
12          his satisfaction.

13          THE COURT: All right. Did you discuss with him the  
14          provisions that waive his right to appeal and to collaterally  
15          attack his conviction?

16          MR. BUTLER: I did, Your Honor.

17          THE COURT: All right. Mr. van der Sloot, before  
18          you signed the plea agreement, did you have a sufficient  
19          opportunity to discuss it with your attorneys?

20          DEFENDANT VAN DER SLOOT: Yes, ma'am.

21          THE COURT: Do you understand that by entering into  
22          the plea agreement and entering a plea of guilty today that  
23          you will give up your right to appeal or collaterally attack  
24          your conviction?

25          DEFENDANT VAN DER SLOOT: I do, ma'am.

1 THE COURT: Do you understand that even if the laws  
2 of the United States change with respect to the offenses that  
3 we're here about today that you will have no right to withdraw  
4 the guilty plea that you're in the process of entering?

5 DEFENDANT VAN DER SLOOT: Yes, ma'am.

6 THE COURT: Okay. All right, Mr. van der Sloot, the  
7 factual allegations relevant to the conduct and offenses  
8 charged in the indictment appear on Pages 3, 4, 5, and 6 of  
9 the plea agreement.

10 Do you agree that those facts are substantially  
11 correct?

12 DEFENDANT VAN DER SLOOT: Yes, ma'am.

13 THE COURT: Is there anything in those facts that  
14 you say is not correct?

15 DEFENDANT VAN DER SLOOT: No, ma'am.

16 THE COURT: Did you do the things that are set forth  
17 in those factual allegations?

18 DEFENDANT VAN DER SLOOT: I did, ma'am.

19 THE COURT: Okay. All right, Mr. van der Sloot,  
20 does the written plea agreement set forth all the terms of  
21 your deal with the government?

22 DEFENDANT VAN DER SLOOT: Yes, ma'am.

23 THE COURT: Did you sign it?

24 DEFENDANT VAN DER SLOOT: Yes, ma'am.

25 THE COURT: Do you have any questions about it?

1 DEFENDANT VAN DER SLOOT: No, ma'am.

2 THE COURT: Has anyone promised you anything that is  
3 not in that written agreement to get you to plead guilty?

4 DEFENDANT VAN DER SLOOT: No, ma'am.

5 THE COURT: Has anyone threatened you in any way to  
6 get you to plead guilty?

7 DEFENDANT VAN DER SLOOT: No, ma'am.

8 THE COURT: Are you pleading guilty of your own free  
9 will because you are guilty of the conduct charged?

10 DEFENDANT VAN DER SLOOT: Yes, ma'am.

11 THE COURT: Mr. van der Sloot, the plea agreement  
12 that you have made with the United States is a binding plea  
13 agreement under Federal Rule of Criminal Procedure  
14 11(c)(1)(C). This means that under federal law I may either  
15 accept the agreement in full, reject the agreement in full, or  
16 defer a decision until a later date. I cannot accept part of  
17 your agreement and reject part of your agreement.

18 If I accept your binding plea agreement today, I  
19 must accept the custodial term to which you and the government  
20 have agreed. Do you understand?

21 DEFENDANT VAN DER SLOOT: Yes, ma'am.

22 THE COURT: All right. Mr. van der Sloot, under  
23 federal law, I cannot accept your plea agreement just because  
24 you and the government have agreed to it. I must evaluate the  
25 terms of the plea agreement to ensure that they are lawful and

1 to ensure that the stipulated sentence is a sufficient and  
2 reasonable sentence. Do you understand?

3 DEFENDANT VAN DER SLOOT: Yes, ma'am.

4 THE COURT: Do you understand that if I accept your  
5 plea agreement today, I also will impose your sentence today?

6 DEFENDANT VAN DER SLOOT: I do, ma'am.

7 THE COURT: Okay. Mr. van der Sloot, under the  
8 terms of your plea agreement, in exchange for the government's  
9 agreement to recommend to the Court the sentence to which you  
10 and the government agreed, which we'll talk about in just a  
11 minute, you agreed to do several things. You agreed to  
12 honestly and completely assist law enforcement agencies with  
13 respect to their investigation of your scheme to extort and  
14 defraud Beth Holloway.

15 You also agreed to honestly and completely assist  
16 law enforcement agencies with respect to their investigation  
17 of the disappearance of Ms. Holloway's daughter, Natalee  
18 Holloway, on or about May 29th, 2005.

19 You agreed to provide all the information you know  
20 about Natalee's disappearance. This is often called a proffer  
21 or debrief.

22 You further agreed that Natalee Holloway's parents  
23 would be allowed to hear in real time your debrief with law  
24 enforcement about the disappearance of their daughter, and you  
25 agreed that after that debrief, the United States would

1 determine, to the extent that it could, whether the  
2 information you provided was truthful and complete. And you  
3 agreed that as just one part of that determination you would  
4 submit to a polygraph examination.

5 You agreed that if the United States determined on  
6 the basis of the polygraph or any other available  
7 investigatory information, including the government's  
8 consultation with Ms. Holloway, that your debrief was not  
9 complete or truthful, the United States had the sole option to  
10 void your plea agreement and your deal would be off.

11 Did you fully understand those terms of your plea  
12 agreement?

13 DEFENDANT VAN DER SLOOT: Yes, ma'am.

14 THE COURT: Okay. It is my understanding that  
15 consistent with the terms of your plea agreement that you made  
16 your proffer and you truthfully provided all the information  
17 you know. I'll ask the government about that in a minute.  
18 But I'm asking you about it now. Did you do that?

19 DEFENDANT VAN DER SLOOT: Yes, ma'am.

20 THE COURT: All right. Mr. Butler, is there  
21 anything you would like to say specifically about your  
22 client's proffer?

23 MR. BUTLER: No, Your Honor.

24 THE COURT: Okay. Mr. Peebles, is the United States  
25 satisfied that Mr. van der Slood fulfilled his obligations



1 under the plea agreement?

2 MR. PEEPLES: Your Honor, based on the information  
3 the defendant provided, the results of the polygraph  
4 examination, and the information obtained during the FBI's  
5 extensive investigation of this matter, we believe that the  
6 defendant has complied with his obligations under the plea  
7 agreement.

8 THE COURT: Thank you. As a part of that  
9 determination, did you consult with the Holloway family?

10 MR. PEEPLES: Yes, Your Honor, we did.

11 THE COURT: All right. I'll ask you again at  
12 sentencing, but for the purpose of my present determination  
13 whether to accept Mr. van der Sloot's guilty plea, is there  
14 anything else you would like to say about his proffer?

15 MR. PEEPLES: No, Your Honor.

16 THE COURT: Mr. Butler, are you satisfied that  
17 Mr. van der Sloot fully understands the charges against him  
18 and the consequences of a guilty plea?

19 MR. BUTLER: I am fully satisfied that he  
20 understands.

21 THE COURT: And that his plea is knowing and  
22 voluntary?

23 MR. BUTLER: Yes, Your Honor.

24 THE COURT: Mr. Peeples, are you so satisfied?

25 MR. PEEPLES: Yes, Your Honor, we are.

1 THE COURT: Mr. van der Sloot, do you understand  
2 that this is the last time you may rest on your plea of not  
3 guilty?

4 DEFENDANT VAN DER SLOOT: Yes, Your Honor.

5 THE COURT: Do you understand everything we have  
6 gone over?

7 DEFENDANT VAN DER SLOOT: Yes, ma'am.

8 THE COURT: All right. Mr. van der Sloot, to the  
9 offense of interference with commerce by extortion as charged  
10 in Count One, how do you plead?

11 DEFENDANT VAN DER SLOOT: Guilty.

12 THE COURT: To the offense of wire fraud as charged  
13 in Count Two, how do you plead?

14 DEFENDANT VAN DER SLOOT: Guilty.

15 THE COURT: I find in United States vs. van der  
16 Sloot that Mr. van der Sloot is fully competent and capable of  
17 entering an informed plea, that he's aware of the nature of  
18 the charges and the consequences of a plea, and that his plea  
19 is knowing, voluntary and supported by an independent basis in  
20 fact containing each of the essential elements of the  
21 offenses. I therefore accept his plea of guilty and judge him  
22 to be guilty of the offenses charged.

23 Mr. van der Sloot, please be seated.

24 All right. We will now proceed to the sentencing  
25 phase of these proceedings where I will determine whether the

1 sentence to which Mr. van der Sloot and the United States have  
2 agreed is a lawful, sufficient and reasonable sentence.

3 Mr. van der Sloot, ordinarily, United States federal  
4 law would require a probation officer to conduct a presentence  
5 investigation and to prepare a report of that investigation  
6 for the Court to consider in determining a sentence. That  
7 report would include information about your criminal history,  
8 other characteristics of you, and the calculation of the  
9 applicable range of punishment under the United States  
10 Sentencing Guidelines which are advisory guidelines for the  
11 Court to consider when imposing a sentence.

12 Under applicable federal law, that presentence  
13 investigation report would not be public. It would be made  
14 available to you, your attorneys, and the attorneys for the  
15 United States and to me. You would have an opportunity to  
16 challenge the factual statements in the report and the  
17 calculation of the potential sentence under the advisory  
18 guidelines.

19 In this case, because you and the United States have  
20 agreed to a specific sentence, and because you and the United  
21 States have voluntarily made information available to me that  
22 would ordinarily be included in the presentence investigation  
23 report, I understand that you have waived your right to a  
24 presentence investigation and a presentence investigation  
25 report.

1 I further understand that you have waived your  
2 rights under Federal Rule of Criminal Procedure 32 in  
3 connection with that investigation and report; is that  
4 correct?

5 DEFENDANT VAN DER SLOOT: Yes, Your Honor.

6 THE COURT: Thank you. Mr. Butler, I understand you  
7 have written waivers to file.

8 MR. BUTLER: I do, Your Honor.

9 THE COURT: Would you please file them.

10 MR. BUTLER: Your Honor, we're filing two waivers.  
11 One, waiver of the presentence report; and two, waiver  
12 regarding time applicable to the preparation of the  
13 presentence report. That second waiver may be unnecessary,  
14 but we're doing it out of an abundance of caution.

15 THE COURT: Thank you.

16 MR. BUTLER: (Indicating).

17 THE CLERK: (Indicating).

18 THE COURT: All right. Mr. van der Sloot, I see  
19 your signatures on both of these documents. Did you sign  
20 them?

21 DEFENDANT VAN DER SLOOT: Yes, Your Honor.

22 THE COURT: Thank you. All right. Mr. van der  
23 Sloot, even if you waive the presentence investigation and  
24 presentence investigation report, I am required to insist on  
25 it, unless I find that the information in the record before me

1 today allows me to meaningfully exercise the Court's statutory  
2 sentencing authority under 18, U.S.C., Section 3553. If I  
3 make that finding, the law requires that I explain it on the  
4 record today.

5 Mr. Peeples, I understand that the government has a  
6 written sentencing memorandum that it would like to file to  
7 provide relevant information and establish that I have  
8 sufficient information to meaningfully exercise sentencing  
9 authority; is that correct?

10 MR. PEEPLES: That's correct, Your Honor. May I  
11 approach?

12 THE COURT: Please file it.

13 MR. PEEPLES: (Indicating). Your Honor, for the  
14 record, what the government has filed is actually two  
15 documents. The first is a sentencing memorandum which sets  
16 forth the basis for the sentencing recommendation in the plea  
17 agreement that's recommended by the United States. The second  
18 is a supplement to the sentencing memorandum. And there are  
19 three attachments or exhibits to that supplement. Exhibit A  
20 is a transcript and an audio portion of the proffer that the  
21 defendant provided that was referenced earlier. Exhibit B is  
22 a victim impact statement from Elizabeth Ann Holloway.  
23 Exhibit C is a victim impact statement from Dave Holloway.

24 THE COURT: Thank you.

25 THE CLERK: (Indicating).

1 THE COURT: Mr. Peeples, I want you to explain  
2 further the government's position in a minute, but for now, I  
3 have a couple of specific questions about the sentencing  
4 memorandum.

5 Although you filed this just now, I am not seeing it  
6 for the first time today. You shared it with me previously so  
7 that I could study it carefully, and you also made it  
8 available to Mr. van der Sloot and his defense attorneys; is  
9 that correct?

10 MR. PEEPLES: Yes, Your Honor.

11 THE COURT: Mr. Butler, have you had the opportunity  
12 to review before today the memorandum and the attachments that  
13 the United States just filed in open court?

14 MR. BUTLER: I have, Your Honor.

15 THE COURT: Did you discuss it with your attorney --  
16 I mean, with your client?

17 MR. BUTLER: Yes, I did, Your Honor.

18 THE COURT: Does he have any objections to its  
19 filing?

20 MR. BUTLER: No, Your Honor.

21 THE COURT: Does he have any objections to its  
22 substance?

23 MR. BUTLER: No, Your Honor. In fact, it's our  
24 position that the information contained in there provides the  
25 Court with adequate information in order to impose sentence in

1 support of our request to waive the PSR.

2 THE COURT: Very well. Thank you. I have reviewed  
3 the government's memorandum and find that I have sufficient  
4 information to exercise the Court's statutory sentencing  
5 authority. I will explain in greater detail, as we proceed,  
6 how I will rely on specific information and how that  
7 information allows me to evaluate the sentence to which  
8 Mr. van der Sloot and the government agreed.

9 But before I explain further, I would like to hear  
10 further from Mr. van der Sloot and his attorney.

11 Mr. Butler, is there anything you would like to say  
12 at this time in mitigation or otherwise?

13 MR. BUTLER: Briefly, Your Honor. Mr. van der Sloot  
14 has complied with all the conditions set forth in the plea  
15 agreement. He has been full -- full, open and honest in the  
16 information he's provided.

17 Subsequently, Your Honor, we would ask that the  
18 Court adopt the plea agreement and impose the stipulated  
19 sentence.

20 I have nothing further.

21 THE COURT: Thank you. Mr. van der Sloot, is there  
22 anything you would like to say?

23 DEFENDANT VAN DER SLOOT: Yes, Your Honor. I would  
24 like to take this chance to apologize to the Holloway family,  
25 apologize to my own family, say that I hope that the statement

1 I provided gives at least some kind of closure to everyone  
2 involved.

3 I would like to say that I'm no longer that person I  
4 was back then today, I have given my heart over to Jesus  
5 Christ and he strengthens me through all these proceedings  
6 now. Thank you.

7 THE COURT: Thank you.

8 All right. Under federal law, more particularly,  
9 under the Crime Victim's Rights Act, which is found at 18,  
10 U.S.C., Section 3771, crime victims have the right to be heard  
11 at sentencing. Under that law, a crime victim is defined as a  
12 person directly and proximately harmed as the result of the  
13 commission of a federal offense. In a sense, crime victimizes  
14 all members of the public. Some particularly reprehensible  
15 criminal conduct affects or impacts many people, including a  
16 targeted victim's family, friends and even their professional  
17 colleagues. That does not automatically mean that all of the  
18 affected persons are necessarily victims within the specific  
19 meaning of the Crime Victim's Rights Act with an entitlement  
20 to submit a statement for the Court to consider.

21 If a person does not have the right to submit a  
22 statement under that act, the Court declines to consider any  
23 submission that they may make, because federal sentences must  
24 be based solely on information properly before the Court.

25 As I indicated in an order issued yesterday



1 afternoon, I received by mail, by courier and by hand-delivery  
2 a number of victim impact statements and requests to submit  
3 victim impact statements. I personally reviewed all the  
4 documents that the Court received to determine which ones I  
5 could properly consider in imposing a sentence today.

6 Ultimately, I determined that I may properly  
7 consider written and/or oral, if they elect to speak today,  
8 victim impact statements only from the direct victim of the  
9 extortion and wire fraud charged in the indictment, Beth  
10 Holloway, and the members of her immediate family who could  
11 comment on the impact of that conduct on her and relatedly on  
12 them. Mr. Dave Holloway, who is Natalee Holloway's father,  
13 and Mr. Matt Holloway, who is Natalee Holloway's brother.

14 Accordingly, I did not accept and I have not  
15 considered in connection with the sentence that I will impose  
16 today any statements from other persons, including such  
17 statements purportedly offered or offered on behalf of any  
18 member of the Holloway family, in large part because members  
19 of the Holloway family have submitted their own direct  
20 statements that express the impact that they experienced in  
21 their own words.

22 I have considered written statements submitted by  
23 Beth Holloway and Dave Holloway. And I understand that in  
24 addition Beth Holloway would like to make an oral victim  
25 impact statement at this time.

1           Ms. Holloway, will you please approach the lectern  
2 to make your statement.

3           MS. HOLLOWAY: Joran, for eighteen years you denied  
4 killing my daughter Natalee. Your lies, your manipulation,  
5 your taunting us with fake news interviews and wild stories of  
6 what happened to her have cost indescribable pain to my family  
7 and to me, and the grief extends deep into my soul.

8           Now in the process of being here today and being  
9 sentenced for attempting to sell Natalee's remains to me,  
10 you've finally admitted that in fact you murdered her.

11           Natalee would be thirty-six years old now. And I  
12 think about what kind of doctor she would have become. She  
13 would be married; have children, my grandchildren. But Joran  
14 destroyed all of this, destroyed all of this for my family.  
15 You terminated her potential. You terminated her potential,  
16 her dreams, and her possibilities when you bludgeoned her to  
17 death in 2005. You took away my son Matt, you took away his  
18 big sister. My son also has two children, he has a son and a  
19 daughter, so you took away Natalee's -- you took away their  
20 aunt, she would never be able to meet her niece or nephew.

21           You changed the course of our lives and you turned  
22 them upside-down. You are a killer. And I want you to  
23 remember that every time that jail cell door slams, I want you  
24 to remember that. You didn't get what you wanted from  
25 Natalee, your sexual satisfaction, so you brutally killed her.

1 All I have been able to see from you, Joran, are  
2 four functions of existence: It's anger, it's a killer, it's  
3 food, and it's sex. That's all you have been able to show me,  
4 Joran.

5 And I wonder about over the years about the grief  
6 that your mother and your grandmother have experienced, and I  
7 think about them. And the reason why I do because I know it  
8 has destroyed their lives as well knowing that they raised a  
9 killer. Your brother, everyone around you, and you are to  
10 blame for their anguish and their sorrow and their shame,  
11 Joran. And you are the one now that no one in Aruba wants to  
12 be and that's the black mark on the island. No one wanted to  
13 be that.

14 And, Joran, I think about now what you and I have in  
15 common. I had a daughter; you have a daughter. So it's  
16 interesting that we share that commonality, except my daughter  
17 is no longer here. I won't mention your daughter's name out  
18 of respect for her young age and out of respect for her  
19 privacy because she doesn't deserve it. But, Joran, I think  
20 about what if -- what if your daughter were Natalee, and what  
21 if you were me, and what if her killer had bludgeoned her body  
22 and gone home and got off on porn on a porn site, I think  
23 about that, Joran. And I think about what would I do and I  
24 think about what would you do. And I know what I would do, I  
25 would want to kill him.

1           Extreme emotional loss and pain really can't be  
2           comprehended by those who haven't had a devastating tragedy  
3           like ours.

4           Also, I have suffered great professional, personal  
5           financial loss. When you killed Natalee, I lived in Aruba  
6           trying to find out what happened to her. Joran, you and I met  
7           that first night of May 31st, 2005, 4:00 a.m. at the Holiday  
8           Inn porte-cochere trying to get answers from you, trying  
9           desperately.

10          And as I was living there in Aruba trying to find  
11          these answers, I lost my job, I lost my teaching license, I  
12          lost my tenure. I had to go back to school to get my license  
13          reinstated and then I had to work even harder to get my tenure  
14          back.

15          So 2010, when you extorted me and tried to sell me  
16          Natalee's remains, I incurred legal, investigative, and I hate  
17          to say it, but I incurred killer fees. I paid my daughter's  
18          killer money. It's shocking. I don't think anyone could  
19          really wrap their minds around what that means.

20          Your life was pretty much over in 2010 when you  
21          extorted me, and then you killed another beautiful young woman  
22          in Peru, five years to the day after you killed Natalee. Even  
23          though you have finally confessed and confirmed that you are  
24          my daughter's killer, you can't be tried here, you can't be  
25          tried here for her murder. But I do employ, implore this

1 Court to give you the maximum sentence possible for the wire  
2 fraud and extortion and demand that you make financial  
3 restitution. You should never profit from this ever again.

4 Joran, while you are living your life in prison --  
5 and by the way, you look like hell, Joran. I don't see how  
6 you're going to make it.

7 I will live the rest of my life with the wonderful  
8 memories -- with the wonderful memories of a beautiful young  
9 lady that had her whole life in front of her. Natalee will be  
10 eighteen forever in my heart. She was smart, she was so  
11 accomplished, and I have no doubt she would have made all her  
12 dreams come true. She really would have.

13 Matt, we did it, honey.

14 MR. MATT HOLLOWAY: We did it.

15 MS. HOLLOWAY: We did it. The hope that filled her  
16 heart fills mine, it brought me here today, it will see me  
17 through everyday, and I will wake up every morning  
18 remembering, I will remember who Natalee was. Thank you.

19 Thank you, Your Honor.

20 THE COURT: Thank you.

21 Mr. Peeples, are you aware that Matt Holloway or  
22 Dave Holloway would like to speak?

23 MR. PEEPLES: No, Your Honor, they don't.

24 THE COURT: Thank you. All right. Mr. Peeples, I  
25 will ask you shortly for more information about the

1 government's position, but I have a few more questions about  
2 Mr. van der Sloot's proffer.

3 I asked you once before in connection with my  
4 decision to accept his guilty plea, but I'm asking you again  
5 now in connection with my determination whether to accept the  
6 plea agreement and impose the stipulated sentence, is there  
7 anything you would like to say on behalf of the United States  
8 about his proffer?

9 MR. PEEPLES: Your Honor, other than what we said  
10 before, no.

11 THE COURT: Okay. All right. Mr. van der Sloot,  
12 although you waived a presentence investigation and  
13 presentence investigation report, the United States Probation  
14 Office has determined that sufficient information is publicly  
15 available from which it can calculate the advisory guideline  
16 range for your sentence. I have carefully considered this  
17 information which is as follows:

18 The offenses with which you are charged are  
19 referenced in Appendix A of the United States Sentencing  
20 Commission's Guidelines Manual. The appropriate Guideline is  
21 Section 2B3.3.

22 Pursuant to Section 2B3.3(a), the base offense level  
23 is nine. Pursuant to Section 2B3.3(b)(1), ten levels have  
24 been added based on a loss amount of two hundred and fifty  
25 thousand dollars. Because the conduct involved a vulnerable

1 victim, as defined in the Guidelines Section 3A1.1, comment  
2 n2, an additional two levels have been added resulting in an  
3 adjusted offense level of twenty-one.

4 Because you pleaded guilty, you receive a three  
5 level reduction for acceptance of responsibility pursuant to  
6 Guideline Section 3E1.1, and the total offense level becomes  
7 eighteen.

8 You have two previous criminal convictions that are  
9 assigned three points each pursuant to Guideline Section  
10 4A1.1(a). Therefore, based on six criminal history category  
11 points, the criminal history category is III. The resulting  
12 advisory guideline range of imprisonment is thirty-three to  
13 forty-one months. The fine range is ten thousand dollars to  
14 one hundred thousand dollars; and the supervised release term  
15 is one year to three years.

16 Mr. Butler, do you agree that I have correctly  
17 calculated the guideline range?

18 MR. BUTLER: I do, Your Honor.

19 THE COURT: Mr. Peeples, does the United States so  
20 agree?

21 MR. PEEPLES: We do, Your Honor.

22 THE COURT: All right. Under the Supreme Court's  
23 instructions in United States vs. Booker, I have consulted the  
24 Sentencing Guidelines and I have taken them into account on  
25 the issue of the appropriate range of sentence to be imposed

1 in this case.

2 Mr. van der Sloot, I also have considered the  
3 specific sentence to which you and the United States agreed in  
4 the binding plea agreement: A custodial sentence of two  
5 hundred forty months with credit for time already spent in  
6 custody in the United States from June 8th, 2023 to run  
7 concurrently with your currently-imposed sentences in Peru, to  
8 be followed by a period of supervised release for three years,  
9 subject to this court's standard conditions and to any special  
10 conditions that I may impose.

11 In addition, you agreed in the binding plea  
12 agreement to a requirement that you pay restitution to Beth  
13 Holloway in the amount of twenty-five thousand one hundred  
14 dollars; that you comply with the agreed provisions regarding  
15 the forfeiture of property; and that you pay the United States  
16 the mandatory special assessment fee of two hundred dollars,  
17 due immediately.

18 Mr. van der Sloot, the sentence that you agreed to  
19 in your plea agreement reflects the maximum custodial sentence  
20 available under the laws of the United States -- as we call  
21 it, the statutory maximum. It is approximately two hundred  
22 months more than the custodial sentence at the highest end of  
23 the applicable range under the advisory guidelines.

24 In your case, the statutory maximum sentence that  
25 you have stipulated represents a substantial variance upward



1 from the sentence called for by the advisory guidelines.

2 Mr. Peeples, could you please briefly explain why  
3 the United States believes that a substantial variance of this  
4 nature is warranted and why the plea agreement provides for  
5 it.

6 MR. PEEPLES: Yes, Your Honor, thank you for the  
7 opportunity.

8 The United States submits that thirty-three to  
9 forty-one months is not sufficient to meet the purposes of  
10 sentencing set forth in 18, U.S.C., 3553(a).

11 A variance is warranted in this case, first, because  
12 of the defendant's history and characteristics warrant a  
13 sentence higher than that contemplated by the guidelines. In  
14 particular, the information provided by the defendant in his  
15 proffer regarding the events in 2005 and made a part of the  
16 record in this case, contain new information that is not taken  
17 into account by the Sentencing Guideline calculations but  
18 certainly warrants a higher sentence based on his history and  
19 characteristics.

20 Second, the United States submits that the  
21 defendant's extortion and wire fraud convictions deserve  
22 greater punishment than the guidelines prescribe. Because  
23 Your Honor has seen a number of defendants convicted of fraud  
24 come before her, but this is more than just a standard fraud  
25 case. The defendant picked his victim. The defendant here

1 chose to exploit a mother, Beth Holloway, who had been  
2 desperately searching for five years for answers about what  
3 happened to her child.

4 In choosing to defraud her, Joran van der Sloot  
5 chose his own greed over Beth Holloway's grief.

6 Your Honor, finally, a sentence of twenty years by  
7 this Court ensures that regardless of anything that may happen  
8 to his Peruvian sentences, the defendant will serve twenty  
9 years in prison where he will not be able to cause further  
10 harm to the public.

11 THE COURT: Mr. Peeples, in determining the basis  
12 for the substantial variance upward, did the United States  
13 consult with the Holloway family?

14 MR. PEEPLES: Yes, we did, Your Honor.

15 THE COURT: Thank you.

16 Mr. Butler, is there anything you would like to say  
17 about the stipulated sentence and the basis for the  
18 substantial variance upward?

19 MR. BUTLER: Nothing other than what I previously  
20 said. By that, I mean, Your Honor, Mr. Holloway (sic) has  
21 complied with the terms of the plea agreement, that plea  
22 agreement included the upward variance to two hundred forty  
23 months, we would ask the Court to adopt the plea agreement.

24 THE COURT: Thank you. Mr. van der Sloot, I have  
25 carefully considered whether the statutory maximum is

1 appropriate in your case.

2 Under federal law, I must impose a reasonable  
3 sentence that is sufficient but not greater than necessary to  
4 comply with the statutory purposes of sentencing.

5 The purposes of sentencing are to reflect the  
6 seriousness of the offense, to promote respect for the law, to  
7 provide just punishment for the offense, to afford adequate  
8 deterrence to criminal conduct, to protect the public from  
9 further crimes, and to provide needed correctional treatment  
10 in the most effective manner.

11 The factors that I must consider, in addition to  
12 these statutory purposes, include the nature and circumstances  
13 of your offense, your history and characteristics, the kinds  
14 of sentences that are available under the law, the sentencing  
15 range under the guidelines, the need to avoid unwarranted  
16 sentencing disparities among defendants with similar records  
17 who have been found guilty of similar conduct, and the need to  
18 provide restitution to victims.

19 Federal law allows me to consider not only the  
20 criminal conduct charged in the indictment, extortion and wire  
21 fraud, but also all of your relevant conduct. The law defines  
22 relevant conduct quite broadly.

23 Relevant conduct may include conduct that is not  
24 charged in the indictment. It includes all acts that you  
25 committed, aided, abetted, counseled, commanded, induced,

1 procured, or willfully caused, as well as all reasonably  
2 foreseeable acts of others in furtherance of jointly  
3 undertaken criminal activity.

4 Relevant conduct may also include conduct that took  
5 place outside of a statute of limitations period, so long as  
6 the relevant conduct is established by a preponderance of the  
7 evidence.

8 Under the law, all harm that results from your  
9 relevant conduct is attributed to you today.

10 Accordingly, I have considered not only the factual  
11 statements contained in your plea agreement about extortion  
12 and wire fraud, but I have also considered your confession to  
13 the brutal murder of Natalee Holloway and your simultaneous  
14 disposal and destruction of her remains.

15 There can be no doubt that your plea agreement and  
16 your proffer establish by a preponderance of the evidence the  
17 matters contained therein, because your confessions are the  
18 only evidence in the record before me today on those matters.

19 Mr. Butler, did you advise Mr. van der Sloot in  
20 connection with his decision to enter the plea agreement that  
21 the Court could consider the information in his proffer in  
22 connection with imposing his sentence as part of his history  
23 and characteristics?

24 MR. BUTLER: We did, Your Honor.

25 THE COURT: Thank you. All right, Mr. van der

1 Sloop, you are differently situated from many defendants who  
2 come before the Court charged with a two hundred fifty  
3 thousand dollar fraud. You have brutally murdered, in  
4 separate instances, years apart, two young women who refused  
5 your sexual advances.

6 You then took advantage of the mother of one of  
7 those young women years after the fact by attempting to sell  
8 her access to her murdered daughter's bodily remains.

9 Before you tried to sell her that access, you had  
10 steadfastly refused to provide complete or truthful  
11 information about your murder of Natalee Holloway, and that's  
12 an understatement, because at every opportunity, you had lied  
13 about that murder.

14 Your extortion and your fraud are particularly  
15 heinous because they sought to profit from a mother's grief  
16 for which you are solely and exclusively responsible.

17 Your extortion and your fraud are heinous in the  
18 extreme because you knew that the information that you were  
19 selling was an absolute lie. You concocted the lie to make a  
20 profit. You deepened your victim's grief and pain and loss to  
21 feed your own greed.

22 Under these circumstances, I specifically find that  
23 a Guideline sentence of approximately three years is woefully  
24 inadequate to reflect the seriousness of your offense, and  
25 that a statutory maximum sentence appropriately reflects the

1 extremity of the seriousness of your conduct.

2 Likewise, I specifically find that a Guideline  
3 sentence of approximately three years is insufficient to deter  
4 future criminal conduct. Hopefully, a statutory maximum  
5 sentence will deter anyone else considering preying on the  
6 family members of their own murder victim from undertaking a  
7 scheme similar to yours.

8 And it is clear to me that if this Court is to have  
9 any hope of deterring future criminal conduct by you that I  
10 must sentence you to the maximum custodial time that the laws  
11 of the United States allow.

12 I have thought long and hard about whether a  
13 concurrent sentence is appropriate. It is my understanding  
14 that your currently imposed Peruvian sentences will conclude  
15 in approximately twenty-two years. I have no control over  
16 your Peruvian custody, and I have no control over whether  
17 there is any change in the future in your Peruvian sentences.

18 But if I accept your binding plea agreement, I must  
19 run your two hundred and forty months United States sentence  
20 concurrent to your currently imposed Peruvian sentences. The  
21 laws of the United States do not allow me to modify that term  
22 of your plea agreement.

23 If I reject your guilty plea -- if I reject your  
24 plea agreement and you withdraw your guilty plea, upon your  
25 conviction by a jury, I could potentially consider imposing a

1 statutory maximum sentence consecutively to, rather than  
2 concurrent with, your currently-imposed Peruvian sentences.  
3 That sequence of events might result in you serving more time  
4 in custody which would likely deter future criminal conduct by  
5 you for longer.

6 But I am not inclined to reject your plea agreement.  
7 If I were to do that and you were tried and convicted of  
8 extortion and wire fraud, it is not clear to me, as I sit here  
9 today, whether there would be a basis to sentence you to the  
10 statutory maximum for those crimes.

11 Even if there were such a basis and I sentenced you  
12 to the statutory maximum to run consecutively to your Peruvian  
13 sentences, one of the main benefits of the plea agreement  
14 would be permanently lost, your full confession to your brutal  
15 murder of your victim's daughter and your specific explanation  
16 why her family has not found and will not find her remains.

17 As a term of the binding plea agreement before me  
18 today, the United States has agreed not to use that confession  
19 against you for any purposes other than today's sentencing.

20 Accordingly, accepting your binding plea agreement  
21 today is the only way for this Court ever to consider your  
22 confession to Natalee Holloway's brutal murder as part of your  
23 history in connection with your sentences for extortion and  
24 wire fraud.

25 Put differently, if I reject this plea agreement, in

1 all likelihood, you will never face a United States Court that  
2 has considered, as part of your sentences for extortion and  
3 wire fraud, the full measure of harm and terror that you have  
4 brought to the Holloway family.

5 In evaluating your plea agreement, I also considered  
6 very carefully whether the Court needed a presentence  
7 investigation and presentence investigation report, even  
8 though you waived them. Those documents are ordinarily  
9 helpful to the Court's understanding of an appropriate  
10 sentence. It's unusual for a defendant to waive them; it's  
11 unusual for the Court not to insist on them. But your case is  
12 quite unusual.

13 In your case, based on the information that is  
14 properly before me today, there is no amount of additional  
15 information that could cause me to impose less than the  
16 statutory maximum sentence, and I do not have the authority to  
17 impose more than the statutory maximum sentence. And there is  
18 no amount of additional information that could cause me to  
19 deprive the Holloway family of the public knowledge of the  
20 information you revealed in your proffer, which was  
21 subsequently vetted for accuracy to the extent possible by  
22 some of the finest investigators and law enforcement agencies  
23 in the world, under the extremely difficult and unusual  
24 circumstances of your case. I therefore accept the plea  
25 agreement, find that the charge adequately reflects the



1     seriousness of your conduct and that the stipulated sentence  
2     will not undermine the statutory purposes of sentencing.

3             For all these reasons, pursuant to the Court's  
4     authority to impose a sentence outside the advisory guidelines  
5     range, it is the judgment of the Court that the defendant,  
6     Joran van der Sloot, is hereby committed to the custody of the  
7     bureau of prisons to be imprisoned for a term of two hundred  
8     and forty months with credit for time served in the United  
9     States custody from June 8th, 2023 to run concurrently with  
10    the defendant's currently-imposed Peruvian sentences.

11            Mr. van der Sloot, pursuant to the terms of the plea  
12    agreement that I just accepted, and the Extradition Treaty  
13    between the United States of America and the Republic of Peru,  
14    signed at Lima, Peru on July 26, 2001, you will be promptly  
15    removed from the United States and returned to Peru to serve  
16    your United States sentence in Peruvian custody. I will talk  
17    further about that in just a minute.

18            But before I do, I want to make clear one aspect of  
19    the custodial sentence that I just imposed. As I previously  
20    indicated, it is the Court's understanding that your binding  
21    plea agreement is premised on the mutual understanding between  
22    yourself, your attorneys and the attorneys for the government  
23    that you will spend approximately the next twenty-two years in  
24    Peruvian custody, meaning in a prison in Peru.

25            If circumstances should change, such that you are

1 out of prison in Peru earlier than anticipated, this Court  
2 will expect you to return to the United States to serve the  
3 remainder of your United States sentence here. That will be  
4 the expectation, regardless why or how you are out of Peruvian  
5 custody, prison in Peru, earlier than anticipated. If you are  
6 out of prison there earlier than currently anticipated, the  
7 Court will expect you to return to the United States to serve  
8 the balance of your custodial sentence regardless whether  
9 you're paroled, you're released earlier, you're placed on  
10 probation or supervised release in Peru, your Peruvian  
11 sentence is reduced, the laws of Peru change or your Peruvian  
12 sentence otherwise changes.

13 I specifically find that it will not satisfy the  
14 statutory purposes of the sentence that I just imposed for  
15 your Peruvian custodial sentence to be reduced, probated,  
16 paroled or otherwise diminished and for you to use that  
17 reduction to skirt your responsibility to serve the remaining  
18 portion of your United States sentence in the United States.  
19 Do you understand?

20 DEFENDANT VAN DER SLOOT: Yes, Your Honor.

21 THE COURT: Thank you. Because you have pleaded  
22 guilty to offenses for which an identifiable victim has  
23 suffered pecuniary loss, the Mandatory Victim's Restitution  
24 Act requires that you pay restitution. You do not dispute  
25 that you received twenty-five thousand one hundred dollars

1 from Beth Holloway, you agreed to restitution in the plea  
2 agreement, so you are ordered to pay restitution in that  
3 amount to her and your restitution obligation is due and  
4 payable in full immediately.

5 When I enter judgment in your case later today, I  
6 will, under the terms of your plea agreement, also enter a  
7 final order of forfeiture, so that the United States  
8 Government may remit to Beth Holloway any monies that it  
9 collects from you to satisfy that restitution obligation.

10 Mr. Peeples, does the United States at this time  
11 have a final proposed order of forfeiture?

12 MR. PEEPLES: Yes, Your Honor. May I approach?

13 THE COURT: Please file it.

14 MR. PEEPLES: (Indicating).

15 THE CLERK: (Indicating).

16 THE COURT: All right. Mr. Peeples, you filed this  
17 just now, but do you acknowledge that you previously made it  
18 available to the Court for me to review?

19 MR. PEEPLES: Yes, Your Honor, and with defense  
20 counsel.

21 THE COURT: Great. Thank you. Mr. Butler, just to  
22 confirm, you have seen this proposed order before today?

23 MR. BUTLER: Yes, Your Honor.

24 THE COURT: And your client has no objection to its  
25 entry?

1 MR. BUTLER: No, Your Honor.

2 THE COURT: I'm not imposing a fine based on the  
3 defendant's inability to pay, but, Mr. van der Sloot, you are  
4 ordered to pay to the United States the special assessment fee  
5 of two hundred dollars which is due immediately.

6 On release from imprisonment, you will be placed on  
7 supervised release for a term of three years as to Counts One  
8 and Two separately but to run concurrently with each other.

9 While on supervised release, you will have to comply  
10 with the standard conditions of supervised release in this  
11 court. Those will be set out in full in your judgment which I  
12 encourage you to read very closely. You also must comply with  
13 the following special conditions which also will be set out in  
14 full in your judgment.

15 First, you must cooperate in the collection of DNA  
16 under the administrative supervision of the probation officer;

17 Second, if under any circumstances you are released  
18 from or you escape a Peruvian prison before June 9th, 2043,  
19 including on parole, probation or supervised release, you are  
20 ordered to make your release known to the United States  
21 District Court for the Northern District of Alabama. Before  
22 you leave today, you will be provided contact information to  
23 satisfy this obligation, if it becomes necessary;

24 Three, until the sentences that I have imposed today  
25 are fully served and satisfied, you must not reenter the

1 United States without the express permission of the Secretary  
2 of Homeland Security for the United States. You are advised  
3 that because of your guilty plea today, you may be forever  
4 refused admission to the United States, but you are required  
5 not to reenter without the permission that I just described  
6 until the sentences imposed today have been fully and  
7 completely served. Should you reenter the United States for  
8 any reason or for any purpose before that date, you must  
9 report to the nearest United States Probation Office within  
10 twenty-four hours of your arrival.

11 Having considered the advisory guideline  
12 computations and taken them under advisement, as well as the  
13 binding plea agreement that I have accepted, I find that the  
14 sentence is sufficient but not greater than necessary to serve  
15 the statutory purposes of sentencing.

16 I further find, for reasons that I have explained,  
17 that it is a reasonable sentence when considering each and all  
18 of the sentencing factors found at 18, U.S.C., 3553(a).

19 Mr. Peeples, does the United States have any  
20 objections?

21 MR. PEEPLES: None, Your Honor.

22 THE COURT: Mr. Butler.

23 MR. BUTLER: No, Your Honor.

24 THE COURT: All right. Mr. van der Sloot, I am  
25 required to advise you of your appeal rights. You have the

1 right to appeal the sentence within fourteen days if you  
2 believe that it is in violation of federal law. Your plea  
3 agreement includes an appeal waiver and ordinarily those are  
4 enforceable. But if you believe that yours is unenforceable,  
5 you are entitled to present that theory to the appellate  
6 court. With very few exceptions, any appeals must be  
7 commenced within fourteen days of the entry of judgment in  
8 your case which will occur today. If you want to appeal, do  
9 not delay. Discuss it with Mr. Butler and Mr. Gibson right  
10 away. If you are unable to pay the cost of an appeal, you may  
11 apply for leave to appeal in forma pauperis and for the  
12 appointment of counsel. If you are allowed by the court to  
13 proceed in forma pauperis, upon your request, the clerk of the  
14 court will assist you in preparing and filing a notice of  
15 appeal.

16 Mr. van der Sloot, have you been advised by the  
17 Court and by your counsel about your appellate rights?

18 DEFENDANT VAN DER SLOOT: Yes, ma'am, and I waive my  
19 appeal.

20 THE COURT: Thank you. I understand that you wish  
21 to waive your rights to appeal and that that waiver is knowing  
22 and voluntary and that you are waiving your rights to appeal  
23 both your conviction and your sentence; is that correct?

24 DEFENDANT VAN DER SLOOT: Yes, Your Honor.

25 THE COURT: Thank you.

1           Mr. Butler, is there anything you would like to say  
2 before I remand the defendant?

3           MR. BUTLER: Yes, Your Honor. Pursuant to the  
4 Extradition Treaty issued between the United States and the  
5 Republic of Peru, and the May 10th Peruvian Supreme Court  
6 resolution, allowing for his extradition, Mr. van der Sloot  
7 was temporarily surrendered by the Country of Peru to the  
8 United States and to the U.S. authorities to resolve this  
9 matter and any possible appeal.

10           Now that the criminal proceedings have concluded and  
11 Mr. van der Sloot has knowingly and voluntarily given up his  
12 right to appeal, the judgment and sentence, we believe that  
13 all terms and conditions of that treaty have been fulfilled.  
14 Therefore, we would ask the Court to enter judgment as soon as  
15 is practical and to direct the United States to comply with  
16 the terms of the agreement and expeditiously return Mr. van  
17 der Sloot to Peru.

18           THE COURT: Thank you. Mr. Peeples, to effectuate  
19 the order and judgment that the Court will enter today, and to  
20 satisfy the obligations of the United States under the plea  
21 agreement and the Extradition Treaty, the United States is  
22 ordered to remove Mr. van der Sloot from the United States as  
23 soon as is reasonably possible and to take all reasonable  
24 measures to expedite his return to Peruvian custody.

25           Mr. van der Sloot, in a moment, I will remand you to

1 the custody of the United States Marshal Service. After I  
2 enter judgment in your case, I do not control how and when you  
3 are removed from the United States. I am assured by the  
4 marshal service that you will not be here any longer than is  
5 necessary to gather the appropriate international papers that  
6 are required to remove you from this country and return you to  
7 Peru.

8 To effectuate the orders of the Court, I will today  
9 liaise with the coordinate branches of the United States  
10 Federal Government to ensure that you are removed from the  
11 United States and returned to Peru as quickly as is reasonably  
12 possible. Do you understand?

13 DEFENDANT VAN DER SLOOT: Yes, Your Honor.

14 THE COURT: Mr. van der Sloot, you are remanded to  
15 the custody of the marshal service and we are adjourned.

16 (End of proceedings. 10:30 a.m.)  
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## C E R T I F I C A T E

I hereby certify that the foregoing is a correct transcript from the record of the proceedings in the above-referenced matter.

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Teresa Roberson, RPR, RMR